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Redefining Activism: Judge Elreta Alexander Ralston and Civil Rights Advocacy in the New South

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For Greensboro, North Carolina, the 1960s was a turbulent decade. Greensboro became a critical location in the civil rights movement, starting with the 1960 sit-in by four North Carolina A&T students that sparked demonstrations nationwide. African Americans reacted differently to the protests. Some, afraid of change, defended the status quo. Others watched from the sidelines, nervous but excited about possible change. Many, putting their personal safety at risk, took part in boycotts and protests. Other African Americans who wanted to advocate for their race took a different approach, working within the judicial system from the inside, instead of against it. Elreta Alexander, a prominent black attorney from Greensboro, said in a 1977 interview, "I like to be a part of the change. Sometimes I feel like I've accomplished very little, but I realize that even without the NAACP we were able to get a lot changed just because I was dared to buck it [the system]."¹ Alexander bucked the system by breaking into a white male power structure and making her presence known.

Most well-known African American activists from the twentieth century are recognized for rallying against the status quo and pushing the boundaries of society through protests and boycotts. Martin Luther King Jr., Ella Baker, Fannie Lou Hamer, and other prominent figures of the civil rights movement all changed the system by working against it. There is, however, a group of lesser-known African

1. Alexander interview, November 6, 1977 (transcript), Box 5, Folder 13, Elreta Alexander Papers (hereinafter cited as Alexander Papers), MSS 233, Martha Blakeney Hodges Special Collections and University Archives, University of North Carolina at Greensboro. This part of the interview was conducted by Greta Tilley for the *Greensboro Record*.

Americans who changed society by working within it: those who removed barriers and cleared a path for future African American professionals. Elreta Alexander, the first African American woman in the country elected district court judge, was one of those pioneers.² She did not achieve her successful career as an attorney or obtain her prominent position in the community by participating in publicized civil rights demonstrations or rallies. Rather, she focused on educational and professional achievement. Current North Carolina Supreme Court justice Patricia Timmons-Goodson once stated, "We owe [Judge Alexander] a debt of gratitude for opening doors that had been closed to a significant segment of our community."³ Timmons-Goodson is the first African American woman to serve as a North Carolina Supreme Court justice, largely because of Judge Alexander's accomplishments.

In this article I redefine the term "activism." Through her professional achievements, Alexander became a civil rights advocate without putting herself on the front lines of marches. A 1969 profile described her as an "activist trial lawyer, poet, lay theologian, actress, and dispenser of justice."⁴ Yet historical, legal, and civil rights scholars have failed to recognize this pioneering woman's accomplishments. While Alexander was not at the center of grass-roots or legal struggles for civil rights, she believed that her personal and professional achievements would help forge a path for African Americans. Alexander was not an activist in the traditional sense in that she did not take part in marches or demonstrations. Instead, she used her "insider" status to change the attitudes, popular assumptions, and perceptions of elite whites in Greensboro by taking on controversial cases, integrating an upscale white neighborhood, and refusing to comply with the racial etiquette of the time. Alexander's middle-class background, her financially successful career, as well as her personality and flamboyance afforded her opportunities to promote her own unique brand of activism.

Several works of scholarship discuss concepts and experiences that are mirrored in the life of Elreta Alexander, a "reluctant pioneer." Stephanie Shaw details "socially responsible individualism," in which education and talents are utilized for the good of the race. Jennifer Ritterhouse tells of being reared in the segregated South and "growing up Jim Crow," while Tobin Miller Shearer describes "daily demonstrations" in which racism is combated in everyday actions.⁵ Primary

2. Throughout most of her career, Elreta Alexander Ralston was known as Elreta Melton Alexander, or as "Judge A" while she was on the bench. I will refer to her in this paper by her original married name, Alexander.

3. Timmons-Goodson's remarks to the Greensboro Bar Association, February 17, 2011. <http://nealrobbins.com/greensboro/wp-content/uploads/2011/03/Justice-T-G-GBA-Address.pdf> (accessed May 3, 2011).

4. Don Follmer, "Her Honor's Philosophy: 'Every Judge Must Push Own Shovel,'" *High Point Enterprise*, May 10, 1969, p. 2A.

5. Eleanor Kennedy, "New Judge Reluctant Pioneer," *Greensboro Daily News*, December 1, 1968, p. E1; Stephanie Shaw, *What a Woman Ought to Be and to Do: Black Professional Women Workers during the Jim*

documents reveal that Alexander personified those terms. During the course of her career she published literature, gave interviews and speeches, and participated in oral history projects. These sources reveal a strong and determined woman. But they also reveal her most human elements: her quirkiness, her sense of humor, and her determination to be an effective advocate for the rights of African Americans.

* * *

Elreta Narcissus Melton's childhood prepared her for community leadership. She was born on March 21, 1919, in Smithfield, North Carolina; her father was a Baptist minister and her mother, a teacher. Ministers and teachers dominated the black middle class.⁶ African Americans achieved middle-class status through education, considered the key to class mobility. Additionally, class and achievement were sometimes attributed to lighter skin color.⁷ With two white grandfathers, the Melton children had light skin, and both of their parents were educated. Despite those advantages, the Melton children grew up in an environment where the black middle class was still seen as inferior to the white lower class. The Jim Crow era, a period of legalized segregation lasting roughly from *Plessy v. Ferguson* in 1896 to *Brown v. Board of Education* in 1954, was the South's response to the end of slavery and Reconstruction. *Plessy v. Ferguson* established the term "separate but equal" and legitimated segregated public facilities based on race. Jim Crow also allowed southern whites to openly, and often violently, display their hatred of African Americans through methods ranging from verbal abuse to lynching.

The Melton family moved to Greensboro, North Carolina, when Alexander was twelve years old. Greensboro in the 1930s, known for being a progressive city, personified a "New South." At the same time it was a city where African Americans remained dependent on whites for menial service jobs in textile mills and factories. Greensboro, however, had two African American colleges—Agricultural and Technical College of North Carolina (now North Carolina A&T) and Bennett College—which gave the black community a sense of pride.⁸ Greensboro also had strong African American organizations, such as the NAACP youth

Crow Era (Chicago: University of Chicago Press, 1996); Jennifer Ritterhouse, *Growing Up Jim Crow: How Black and White Southern Children Learned Race* (Chapel Hill: University of North Carolina Press, 2006); Tobin Miller Shearer, *Daily Demonstrators: The Civil Rights Movement in Mennonite Homes and Sanctuaries* (Baltimore: Johns Hopkins University Press, 2010).

6. Evelyn Brooks Higginbotham, *Righteous Discontent: The Women's Movement in the Black Baptist Church, 1880–1920* (Cambridge, Mass.: Harvard University Press, 1993), 41.

7. Glenda Elizabeth Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896–1920* (Chapel Hill: University of North Carolina Press, 1996), 14–15.

8. William H. Chafe, *Civilities and Civil Rights: Greensboro, North Carolina, and the Black Struggle for Freedom* (New York: Oxford University Press, 1980), 5–6.



Elreta Narcissus Melton, born in Smithfield, North Carolina, moved with her family to Greensboro, a moderately progressive southern city, in the 1930s, when she was twelve years old. Pictured, seated, left to right in this undated family photograph, are her mother, Mrs. A. A. Melton, a teacher, and father, Rev. J. C. Melton, a Baptist minister. Standing, left to right, are Elreta, her brother Judson, and sister Erta Mayme. All photographs in this article are from the Elreta Alexander Papers, MSS 233, Martha Blakeney Hodges Special Collections and University Archives, University of North Carolina at Greensboro.

group established by Ella Baker during World War II. Alexander's father became the first minister of United Institutional, an all-black Baptist church.⁹ Like many middle-class African Americans, the Melton parents attempted to shield their children from the societal rules of Jim Crow segregation. They believed that Greensboro was a city where their children could be raised with middle-class values, receive a good education, and develop their own sense of self, rather than one imposed on them by whites.¹⁰ The Melton parents, like other educated, middle-class black families, did not allow their children to ride segregated buses and only sent them to all-black schools. For black adults, self-segregating their children also made it easier to talk to them about race and racism. For the children, however, it created a sense of injustice and a resolve to reject inequality.¹¹

9. Jacqueline Jones, *Labor of Love, Labor of Sorrow: Black Women, Work, and the Family, from Slavery to the Present* (New York: Basic Books, 2010), 220; United Institutional Baptist Church, "Pastoral History of United Institutional Baptist Church," 2.

10. Ritterhouse, *Growing Up Jim Crow*, 17.

11. *Ibid.*, 6.

The Melton family also recognized that education was an important method of combating racism. Elreta graduated from Dudley High School and then from North Carolina A&T with a degree in music at eighteen years of age. Both were all-black schools. Her father, a graduate of Shaw University in Raleigh, North Carolina, told his children that "nobody was going to sleep under his roof without a college education."¹² Every member of the Melton family achieved at least a bachelor's degree.

After graduation Elreta married her first husband, Dr. Girardeau Alexander, whom she met in college. Initially, she had no plans to go to law school. She taught music in Greensboro and worked at the A&T library for four years after getting married. But she decided to go to law school after an African American friend of hers lost a Greensboro city council election because other candidates were paying blacks to vote for them instead. Alexander had personally encouraged many people to vote, so her friend's narrow loss was a huge disappointment. The candidate, a minister named Mr. Sharpe, consoled Alexander stating, "Elreta, I didn't run to win. But each time I get people like you interested. . . . In your lifetime, you'll see something change; you'll see us marching to the polls and being a part of citizenship. . . . Don't cry; do something about it."¹³ The next day Sharpe brought her *Blackstone's Commentaries on the Law* and told her, "You're going to law school. You'll make a good lawyer."¹⁴ The next summer in 1943, Alexander entered Columbia Law School, and in 1945, she became the first African American woman to graduate from the university with her LL.B.¹⁵

After growing up in an environment that shielded her from racial struggles, Alexander later recalled that she felt singled out because of her race for the first time at Columbia. It was not the typical singling-out most African Americans of that time experienced; the dean of the law school warmly greeted Alexander, saying, "We welcome you Ms. Alexander. You know, you're the first woman of your race we've ever accepted in this school. We've had women here since 1927."¹⁶ The well-intentioned greeting unnerved Alexander. She later said, "They put

12. Interview with Judge Elreta Alexander Ralston (hereinafter cited as Ralston interview) by Anna Barbara Perez, February 18, 1993, and March 4, 1993, p. 9, Interview number J-0018, Southern Oral History Program Collection #4007, Southern Historical Collection, Wilson Library, University of North Carolina at Chapel Hill, <http://dc.lib.unc.edu/cdm/compoundobject/collection/sohp/id/12603/rec/1>.

13. Alexander only referred to her friend as "Rev. Sharpe." The Guilford County Board of Elections only keeps records dating back to 1950 and does not have Mr. Sharpe's first name on record. Email from Guilford County Board of Elections, December 2012.

14. Alexander interview, Session 2, May 19, 1977, Box 5, Folder 7, Alexander Papers.

15. Ralston interview, 22–23.

16. Ibid., 15.

the weight of a whole race of people on me" and commented that she could not even hear the lectures the first six weeks of class.¹⁷

Many educated young African American women of that time shared those feelings. A strong sense of social responsibility prevailed among those fortunate few not weighed down by domestic and agricultural labor. Their comparatively well-off families provided good educations, which in turn had to be used for the sake of racial uplift. In 1910, Rev. Charles Brent told students at Howard University, "Privilege must always be translated into terms of responsibility, or else it will become shackles to your feet and chains to your hands. . . . The very moment privilege comes to us, we ought to use it so that it will be a benefit to others."¹⁸ Evoking the memories of slavery, the Reverend Charles Brent was one of many African American leaders who reinforced the idea that the few African Americans who were able to obtain an education should use it for the benefit of the less fortunate majority.¹⁹ For Alexander, working for her race, as well as for her gender, unexpectedly became a theme in her life.

Upon graduating from Columbia, Alexander's race became an issue, as she had trouble becoming eligible to take the North Carolina State Bar Examination. After briefly practicing law in Harlem in the spring of 1946, Alexander returned to Raleigh to apply to take the Bar Exam. She had been given an exceptionally meritorious status, a requirement for any African American to take the Bar Exam in North Carolina. According to Alexander, the secretary who handled her application said, "We only use that statute to keep undesirables out. . . . Them damn Yankees got too upset about you. We're damn sick about them damn Yankees trying to run our business down here." The secretary told her she had to be a resident of North Carolina for twelve months before taking the exam and could not file because she had been practicing in New York.²⁰

After achieving so much in New York, facing discrimination in North Carolina solidified Alexander's racial awareness and her commitment to serving others. Unfortunately, the views of the secretary represented the attitudes of many white professionals in the South who did not want to compete with African Americans for jobs. White professionals preferred the African Americans of the farm rather than the rising, urban "colored swelldom" who might take away jobs from professional whites.²¹ But Alexander was determined to get her law degree, and in 1947, after a year of driving between New York and North Carolina, she passed the North Carolina Bar Exam. That year she became the first African American woman to be licensed as a lawyer in the State of North

17. *Ibid.*, 16.

18. Shaw, *What a Woman Ought to Be and to Do*, 91-92.

19. *Ibid.*, 2.

20. Ralston interview, 29.

21. Gilmore, *Gender and Jim Crow*, 15.

Carolina. In 1993, she still had a newspaper clipping with the headline, "Negro Woman Applies to Take State Bar."²² Being the first African American woman to join the North Carolina Bar was no small feat, and obviously one in which Alexander took pride many years later.

In the 1950s, Greensboro, one of the largest cities in North Carolina, became home to progressives who discussed politics, race, class, and other social issues.²³ It also attracted ambitious young African Americans and was the ideal location for Alexander. After becoming licensed, Alexander set up her law practice in Greensboro, where her husband, Girardeau, practiced medicine. Her law practice thrived. According to a November 1979 North Carolina Association of Women Attorneys newsletter, Alexander enjoyed "flex[ing] her mental muscles" and showing the world that "brains are not sex or color coded."²⁴ As an African American woman in a white male-dominated profession, Alexander set out to prove that her ability and intelligence were not hampered by the fact that she was a woman or by the fact that she was black. She was determined to demonstrate that she was *more* able and *more* intelligent than most of the white men in the legal profession.

Alexander made that point quite clear in one of her early cases in 1950. Her male clients brought a suit against the City of Greensboro and petitioned for the use of Elizabeth Park Golf Course by African American residents. One of the white men on the city committee, John Hughes, stated that his wife played on the course and he did not want any "Nigra men out there." In her determination to prove that brains were not "color coded," Alexander responded:

Isn't your wife a secretary? That's fine. But Mrs. Alexander [referring to herself in the third person] is a lawyer, a graduate of one of the finest schools in the world. She's an author and a musician. I don't believe we have anything to communicate about. We wouldn't be on the same level. . . . I wouldn't have any reason to want to associate with your wife. The same thing with these men. Can you think of any reason why these men would want to be fresh with your wife when you've got a woman like Elreta Alexander here? In my race, we got any kind they want to pick. From Elreta Alexander on up and on down.²⁵

Despite Alexander's best attempt to allay the fears of white men, the Elizabeth Park Golf Course did not become integrated. The City of Greensboro instead agreed to build a separate golf course for African Americans, for which Alexander

22. *Ibid.*, 26.

23. Chafe, *Civilities and Civil Rights*, 7.

24. Anna R. Hayes, *Without Precedent: The Life of Susie Marshall Sharp* (Chapel Hill: University of North Carolina Press, 2008), 348.


25. Alexander interview, July 13, 1977 (transcript), Box 5, Folder 11, Alexander Papers.

The Negro Citizens' Council
of the City of Wilmington
Observes
Citizenship Emphasis Day
PRESENTING

Champion of Human Rights

☆

**First Negro Woman To
Graduate From the School
of Law of Columbia U.**



Forceful Speaker

☆

**Aggressive Civic
And
Political Leader**

Mrs. Elreta Melton Alexander
Attorney-At-Law of Greensboro, N. C.

Tuesday, April 20, 1948
8:00 p. m.

Auditorium
John H. Shaw Boys' Club
9th & Nixon Sts.

Emphasizing
The Importance Of The Ballot

The Public Is Cordially Invited

The only limit to our realization of to-morrow will be our doubts of today. Let us move forward with strong active faith.

---The Late President Roosevelt

Elreta graduated from Dudley High School in Greensboro and went on to receive a degree in music from what is now North Carolina A&T State University. She received a law degree from Columbia University in 1945, and after passing the North Carolina State Bar Exam in 1947, became the first African American woman to be licensed as a lawyer in the State of North Carolina. Negro Citizens Council flyer advertising Citizenship Emphasis Day, 1948.



In one of Alexander's early cases, a group of African American men filed suit against the City of Greensboro and petitioned for the use of Elizabeth Park Golf Course by African American residents. After one of the white men on the city committee stated that he did not want his wife to be on the golf course "with Nigra men out there," Alexander launched a scathing verbal attack, noting that black men could not possibly have any interest in his wife, a secretary, when a woman like Elreta Alexander, "a lawyer . . . an author and a musician" was around. Undated photograph of Alexander.

wrote the charter. While she did not win the case for desegregation, she did take credit for setting up the first African American golf course in Greensboro.²⁶

The rising expectations of young African Americans, however, also created tense moments leading to protest.²⁷ Despite being progressive compared to other southern states, North Carolina was still a place where African Americans had to fight for equal rights. On February 1, 1960, Greensboro became the primary location of the civil rights movement. Four male students from North Carolina A&T, Alexander's alma mater, sat down at the Woolworth's lunch counter in downtown Greensboro. They were not served food, but the four men quietly and peacefully sat until Woolworth's closed at 5:00 P.M. They had no idea they

26. For more information on African American golfers in North Carolina, see Jess Usher, "The Golfers': African American Golfers of the North Carolina Piedmont and the Struggle for Access," *North Carolina Historical Review* 87 (April 2010): 158–193.

27. David Barton Smith, *Health Care Divided: Race and Healing a Nation* (Ann Arbor: University of Michigan Press, 1999), 78.

started a movement, but until segregationist policies ended in Greensboro, they were determined to make a point. Inspired by the four men, the sit-in movement took hold among African American students in North Carolina and throughout the rest of the South.²⁸ Alexander stated, "For once, in the black community, the professionals didn't run. The doctors and lawyers or their wives marched with the students. . . . I didn't march, because Girardeau [her ten-year-old son] got very frightened by all this."²⁹ While civil rights issues gripped the City of Greensboro, Alexander stated, "I never got involved in the civil rights movement except behind the scenes. . . . Every case to me was a civil rights case; if I'd been a 'civil rights lawyer' I couldn't have done anything else. My job was talking to jurors, bringing brotherhood in this state, and speaking around the state, changing people's minds. That has paid off in human respect."³⁰ For Alexander, civil rights were not just a black or white issue, but a human rights issue. While she often highlighted the injustice behind racial discrimination, in her personal life and career she seldom discriminated against anyone. While she made her opinions heard, she took on cases regardless of the gender, race, or profession of the defendant.

Alexander always considered herself a "showman," and her form of activism was anything but traditional.³¹ She stated, "I've never been afraid to speak up my mind . . . because it always seemed kind of stupid to me for people to treat people as second-class citizens and expect first-class performance."³² On many occasions Alexander would make a statement just by following the rules. In the 1950s, many of the courtrooms where Alexander tried her cases were segregated. On those days, Alexander stated, she would "wear a mink coat into the courtroom and instead of sitting with whites, I would sit behind the bar next to the dirtiest, blackest, Negro working man. . . . [I]t would upset the court." After being told several times by the judges to sit inside the bar with the other attorneys, Alexander said, "If my people have to sit on one side, I want to be with my people." Alexander never seemed to resent the fact that she sat in the black section, as she was not often subjected to the rules of racial etiquette due to her professional status. Instead, she aimed to point out the hypocrisy of segregation. Alexander's "reverse psychology" extended to water fountains as well. She would approach white judges saying she wanted to "see what the difference is in this white water and this colored water."³³

28. Miles Wolff, *How It All Began: The Greensboro Sit-ins* (New York: Stein and Day, 1970).

29. Alexander interview, November 6, 1977 (transcript), Box 5, Folder 13, Alexander Papers.

30. *Ibid.*

31. Ralston interview, 78.

32. *Ibid.*, 88.

33. Alexander interview, July 13, 1977 (transcript), Box 5, Folder 11, Alexander Papers.

Alexander's method of combating segregation and discrimination could be sarcastic or tongue-in-cheek. But as a published poet, her words were more pointed, angrier, and show an advocate who stood up for justice in multiple forms. In her poem, "When Is a Man Free?" Alexander traces discrimination going back to slavery, writing, "In Africa, the black man we tracked. Shackled him and brought him back. To a life of misery, and tortures that have no rivalry. When he cries out to be free his body hung, dying, from a tree." She describes the perseverance of African Americans: "You say we are lazy, ill-mannered, half-crazy, ungrateful, immoral unprepared; yet we have climbed your ladders round by round, in spite of attempts to push us down." She concludes with, "A man is free when he can see his brother is none other than he; for in each human I [God] dwell, ready to overcome the gates of hell, that human liberty may prevail."³⁴ While her methods might have been different, Alexander shared many of the same feelings and frustrations as mainstream civil rights activists, who often experienced anger, dissatisfaction, and disappointment. But the expression of those sentiments took various forms. While many carried signs, Alexander wielded her pen.

Alexander, never afraid to advocate for the downtrodden, was not afraid to advocate for herself either. When it came to demanding respect in the courtroom, Alexander was dogged. While men respectfully referred to each other using titles such as "Mr." or "Attorney," most colleagues simply referred to her as Elreta. Once, when trying a case with another attorney in eastern North Carolina, the other attorney simply referred to her as "Alexander." She responded, "If you want to communicate with me, sir, if you'll just write it on a piece of paper, I'll answer you on a piece of paper. Further, I love animals. Other than that, if you'll just grunt like a pig, then I'll respond. But if you call me anything, you call me 'Mrs. Alexander' or 'Lawyer Alexander.'"³⁵ Lawyer Alexander, who epitomized achievement, became outraged when not given her due respect. In addition, Alexander took great strides not to be overlooked. She became known for her outlandish jewelry, extensive wardrobe, blonde wigs, dramatic make-up, and a fleet of Cadillacs.³⁶

Although Alexander demanded respect, she did not worry about what people thought when she took on controversial cases. One of her biggest cases of the 1960s started out as a rape case and ended up challenging jury selections based on race. In June 1964, Alexander made a bold move and defended a man convicted of rape. Four African American men allegedly raped a young white woman,

34. Elreta Melton Alexander, *When Is a Man Free?* (Philadelphia: Dorrance and Co., 1967).

35. Alexander interview, November 6, 1977 (transcript), Box 5, Folder 13, Alexander Papers.

36. Hayes, *Without Precedent*, 348.



Alexander found numerous ways to condemn the hypocrisy of segregation, often through sarcasm or tongue-in-cheek remarks. She was also a published poet who spoke out for justice and against racism. Undated photograph of Alexander.

Mary Lou Marion, in High Point, North Carolina.³⁷ Near Penny Road in High Point, young people came to hang out and drink at an old, run-down mansion known as Horney Place. One evening four black men went to Horney Place. Two of the four young men had their girlfriends with them; one of the men was Charles Yoes, Alexander's client. Near Horney Place was a "lover's lane" area in the woods. On that night, according to Alexander, Mary Lou Marion and her married boyfriend, Mick Wilson, were having sex in the back of his car. Yoes and the three other young men, all drunk, decided to play a prank on the couple. Running down to the car with a rifle, they banged on the car and told the couple they were with the sheriff's department. While Alexander stated that the incident started out as a prank, Wilson testified during the preliminary hearing that it was assault and battery.³⁸ Wilson fought with two of the young men while

37. Marion's race is not specified in court records, but Elreta states that she was white in an interview with Donald Dale Jackson for his book, *Judges: An Inside View of the Agonies and Excesses of an American Elite* (New York: Atheneum, 1974).

38. "Four Ordered for Trial on Charges of Rape," *High Point Enterprise*, July 4, 1964, p. B1.

the other two raped Marion. The two girlfriends then stole Marion's purse. After the incident, Yoes fled to Norfolk, Virginia. The two young women who stole the purse, however, became scared and turned the entire group in to the police.³⁹ On June 21, 1964, the four men faced charges of "successive rapes of the same woman in Guilford County."⁴⁰

Fleeing the state probably did not affect Yoes's legal position, as most whites found any contact with a white woman by an African American male contemptible. The testimony of Guilford County sheriff D. S. Lee was also quite damning. Lee testified that a .22 rifle was recovered near the scene. He also testified that the four men and two women had drunk two pints of whiskey during the day and purchased beer on the way to Horney Place. The group allegedly only left the mansion to purchase more beer, and Yoes left once to retrieve the rifle for target practice. Yoes had testified that he had killed a black snake with the rifle. Lee's testimony, however, stated that during the investigation, police found seven empty beer cans, one full can, three .22 shells, and no dead black snake, indicating that Yoes lied about his use of the rifle and establishing doubt about his credibility.⁴¹

All four of the men had their own attorneys, each of whom faced a difficult legal challenge. The attorneys moved the court to find no probable cause for each separate defendant.⁴² But despite objections, the judge consolidated the four cases and found all four men guilty with a recommendation of life in prison. All four appealed the verdict.⁴³ On July 2, 1964, President Lyndon Johnson signed the Civil Rights Act of 1964, and as Alexander said, "Feelings were running high everywhere. And naturally, this coming out, it was running high against my fellows."⁴⁴ The preceding decades marked a time when a man could be lynched for so much as looking at a white woman the wrong way. During and after slavery, some whites saw the sexuality of black people as primal, and when it came to interracial interactions, criminal. White men used the permissible rape of black women as a means to humiliate black men during slavery. After the emancipation of slaves, white men used lethal methods to protect the innocent and chaste "white womanhood."⁴⁵ Shortly after the passage of the Civil Rights Act many white people—especially in the South—were looking to punish African Americans

39. Ralston interview, 82.

40. *State of North Carolina v. Charles Yoes and Willie Hale Jr. (Alias Willie Haile Jr.) and Leroy David, Petitioners v. State of North Carolina* 271 N.C. 616, 157 S.E.2d 386 (1967), N.C. Lexis 1259, November 1, 1967, Filed.

41. "Four Ordered for Trial on Charges of Rape," *High Point Enterprise*, July 4, 1964, p. B1

42. Ibid.

43. *State of North Carolina v. Charles Yoes and Willie Hale Jr. (Alias Willie Haile Jr.) and Leroy David, Petitioners v. State of North Carolina*.

44. Ralston interview, 83.

45. Tracey Owens Patton and Julie Snyder-Yuly, "Any Four Black Men Will Do: Rape, Race, and the Ultimate Scapegoat," *Journal of Black Studies* 37, no. 6 (July 2007): 859–895.

and maintain their "superiority." Alexander's client had given those whites the perfect opportunity to do so.

Judge Gamble, white judge during the trial, also worked against Alexander and her client. The presiding judge frequently used the word "nigger" in open court and would not allow any evidence favorable to the defendants to be considered. Alexander stated that during the investigation the sheriff had uncovered evidence favorable to the defendants, which the judge found inadmissible. During the course of the trial Alexander received threats, prompting her husband to send a bodyguard to court with her. When the jury, which had been sequestered during the trial, returned a verdict of guilty in December of 1964, Alexander asked for the jury to be polled. When the one black juror was asked what his verdict was, he broke down in tears and said, "That's not my verdict. They made me say it."⁴⁶ When Alexander described the juror she did not say how he was pressured or who made him return a verdict of guilty, but it is another piece of evidence confirming the difficulty African American men faced in getting a fair trial in the 1960s court system.

Despite the verdict, Alexander remained determined to get justice for Yoes. She appealed the conviction, focusing on the convoluted jury selection process in Guilford County. The jury was selected by picking names out of a hat and then putting them in a box, where a child then selected the names in front of the county commissioners.⁴⁷ Alexander asserted that the slips of paper containing names of African Americans were left out. The North Carolina Supreme Court ultimately ruled that there had been no error in the trial, and the sentence stood. None of the four men served life, but all went to prison. Alexander stated over thirty years later, "Yoes should not have been in there, except guilt by association, Yoes and one of the other fellows."⁴⁸ As an African American attorney in the South, it was hard to avoid cases where race ultimately became a linchpin in the proceedings. Decades after the Yoes case, black men still received harsher penalties for rape, especially the rape of white women. As historian Jacquelyn Dowd Hall notes, white women were a symbol of white male power, and the thought of a black man on top of a white woman infuriated white men.⁴⁹ The fact that Yoes did not spend the rest of his life behind bars is extraordinary, given the lingering notion of white male power and increased tensions surrounding

46. Ralston interview, 84.

47. *State of North Carolina v. Charles Yoes and Willie Hale Jr. (Alias Willie Haile Jr.) and Leroy David, Petitioners v. State of North Carolina*.

48. Ralston interview, 86.

49. Jacquelyn Dowd Hall, "The Mind that Burns in Each Body: Women, Rape, and Racial Violence," *Southern Exposure* 12 (November-December 1984): 61-71.

the Civil Rights Act. Despite her client's bad behavior, Alexander managed to expose the antiquated and prejudiced jury selection process in Guilford County.

The Yoes case was a tiring and emotionally draining experience for all those involved. After successfully revealing the racial inequalities in the jury selection process in Guilford County, Alexander became inspired to run for district court judge. During the case both the Republican and Democratic parties in North Carolina began asking Alexander to run for district court judge.⁵⁰ Eventually she did—on the Republican ticket at a time when African American Republicans were rare. She stated explicitly that she was not a conservative and believed “integration was the only way for black people to succeed.”⁵¹ Her campaign advertisements pointed out that she was a Republican and the only female candidate for district court judge in Guilford County, as well as her prestigious educational accomplishments. She placed her campaign slogan, “The Symbol of Justice is a Woman,” prominently at the top of the ad.⁵² Other than her ads, and a letter-writing campaign, Alexander did little campaigning. But in November 1968, Alexander became the first African American woman in the country to become an elected district court judge, having come in third out of eleven candidates with six judicial spots to fill.⁵³ Four years later when she ran for reelection, Judge Alexander finished at the top of the ticket.⁵⁴

As a judge, Alexander was dedicated to giving young people every possible opportunity to atone for their mistakes. In 1969, she made headlines with the creation of her Judgment Day program.⁵⁵ Initially aimed at young drivers, Alexander created Judgment Day for young, first-time offenders regardless of race, and pioneered alternative sentencing programs for juveniles. Because of its success, young offenders convicted of crimes such as shoplifting, drug offenses, or breaking and entering were soon eligible for the Judgment Day program. The ultimate goal was rehabilitation of the accused. After pleading guilty to an offense, the court gave young offenders various tasks to perform. These generally consisted of community service and requiring offenders to write reports on the dangers of their crime and subsequent actions they took to rehabilitate themselves. The reports had to be presented before churches, schools, youth-based societies, and to the judge.⁵⁶ On a pre-set date the offender would read his or her report and

50. Ralston interview, 78.

51. Jim Schlosser, “‘Judge A’ Paved Way—With Style,” *Greensboro News and Record*, March 16, 1998, p. A1.

52. Elreta Melton Alexander, campaign ad, *High Point Enterprise*, November 3, 1968, p. 7B.


53. Joe Brown, “5 Democrats, 1 Republican Winners in Judgeship Race,” *High Point Enterprise*, November 6, 1978, p. C1.

54. Hayes, *Without Precedent*, 349.

55. Darryl Lyman, *Great African-American Women* (New York: Gramercy Books, 1999).

56. John Lowe, “Judgment Day in High Point Gives Young Another Chance,” *High Point Enterprise*, December 29, 1977, pp. 1B, 2B.


The Symbol Of Justice Is A Woman



Elect A Living Symbol Of Justice

ELRETA MELTON ALEXANDER

The Only Woman Candidate
For District Judge In Guilford County



In 1968, Alexander campaigned for Guilford County district court judge. Many of her ads pointed out that she was a Republican and noted her prestigious educational accomplishments. Others, like this campaign ad, reminded voters that "The Symbol of Justice Is A Woman." In November 1968, she became the first African American woman in the country to become an elected district court judge. She was reelected four years later.

make a case for rehabilitation to Judge Alexander. If the report met Judge Alexander's satisfaction, then the conviction would be dropped from the offender's record. When talking about Judgment Day she stated that she wanted to use the bench for something other than punishment. "Punishment doesn't correct anything," she argued.⁵⁷ In addition, no Judgment Day was complete without a long, scripture-laced lecture from Judge Alexander. In one case where Alexander worked with young drug offenders she went to a blackboard brought into the courtroom and wrote the word C-H-U-M-P. "Do you know how to turn a chump into a C-H-A-M-P," she lectured. "Just turn 'U' (you) over and straighten up to make a chump into a champ. You can do it if you really want to."⁵⁸

The Judgment Day program produced many success stories. A young, overweight woman who pleaded guilty to kiting checks in return for friendship reported to the court that she went to Weight Watchers, got a job, and had found legal means of obtaining friendship. Judge Alexander once sent a young man to jail when he refused to give his final report. When at long last he delivered his speech in front of the judge, he realized he had found his calling in speaking to the public. He eventually received his Ph.D. and became a minister.⁵⁹ In a 1977 profile of the Judgment Day program, Judge Joseph A. Williams, another

57. Ralston interview, 92.

58. Bill Rhodes Weaver, "Judge Feels Program Against Drugs Success," *Greensboro Daily News*, March 26, 1973, Newspaper clippings, 1973, Box 3, Folder 9, Alexander Papers.

59. Ralston interview, 91.

African American judge, credited Judge Alexander with turning his life around. "This judge has had many chances," he stated. "Judge Elreta Alexander gave me a chance by encouraging me to go to college and to stop doing some of the foolish things I was doing."⁶⁰

The Judgment Day program was controversial. After almost eight years and hundreds of young offenders going through the program, fellow district court judge John Hatfield Jr. attacked the program, saying, "Judgment Day is totally unjustified by the rules of procedure. . . . [A] defendant can't be subjected to punishment or rehabilitation before a judge formally decides the case."⁶¹ By 1980, Guilford County District Attorney Mike Schlosser effectively ended Judgment Day when he would not allow the charges against almost two hundred defendants to be reduced or dismissed because "it is the prosecutor, not a judge, who has authority to dismiss or reduce charges."⁶² Despite its end, Judge Alexander remained proud of her Judgment Day program. Several years before her death she touted the successful role the program played in many lives, saying, "They have become businessmen or women and because somebody cared and they didn't have to stand up there alone . . . each was helping the other climb the rough side of the mountain. That I've been very proud of."⁶³

During the 1970s, Judge Alexander remained a well-known and beloved district court judge. She heard cases ranging from drug trafficking to election laws. In 1974, she decided to take her career a step farther and run for chief justice of the North Carolina Supreme Court. Her assumed opponent would be supreme court justice Susie Sharp, the Democratic nominee. Chief Justice William H. Bobbitt announced his retirement, thus setting up what everybody assumed to be a "woman vs. woman" race for the highest judicial post in North Carolina.⁶⁴ The position had never been filled by a woman, setting the contest up to be a historic bout. First, however, Judge Alexander had to secure the Republican nomination. Her only opposition in the primary was James Milford Newcomb, a fire-extinguisher salesman with a high school diploma. At the time the State of North Carolina had no laws requiring that a judge must first be an attorney—or even have a law degree.⁶⁵ In her campaign literature Judge Alexander directly attacked Newcomb, highlighting his lack of education, lack of legal experience, and lack of electoral experience against her own extensive record.⁶⁶ Newcomb's

60. Ibid.

61. Associated Press, " 'Judgment Day' Discontinued in Greensboro," *Charlotte Observer*, September 9, 1973, Box 4, Folder 1, Alexander Papers.

62. "Judgment Day—Over?" *Greensboro Record*, April 15, 1980, p. A6.

63. Ralston interview, 91–92.

64. Jack Scism, "Judge Alexander Joins Race," *Greensboro Daily News*, February 25, 1974, Box 3, Folder 10, 1974, Alexander Papers.

65. Hayes, *Without Precedent*, 350.

66. Undated campaign flyer from Alexander's campaign, Box 5, Folder 16, Alexander Papers.



In 1969, Alexander created her "Judgment Day" program for young, first-time offenders regardless of race. Young offenders convicted of crimes such as shoplifting, drug offenses, or breaking and entering were eligible for the program, which focused on rehabilitation. Alexander assigned community service projects and required them to write reports on the dangers of their crimes and the actions they took to rehabilitate themselves. Undated photograph of Judge Alexander in the courtroom.

lack of experience, however, did not seem to bother the Republican establishment. Judge Alexander lost the Republican nomination by a vote of 53 percent to 27 percent.⁶⁷

The loss was stunning. Letters from bewildered admirers across North Carolina flooded her office. Rep. Richardson Preyer wrote, "I was appalled at the outcome in your race. This is the worst result in an election that I have ever heard of."⁶⁸ Others expressed shame at being affiliated with the North Carolina Republican Party. Greensboro attorney E. S. Schlosser wrote, "I am sorry, truly sorry. I don't understand, but I am afraid I do understand. I am sorry."⁶⁹ Even United States senator Jesse Helms repudiated Newcomb as the Republican nominee.⁷⁰ Mercifully, James Newcomb lost the general election to Democrat and longtime state supreme court associate justice Susie Sharp, a white woman who became the first

67. Ellen Gilliam, "Caswell Commissioner Walker Loses," *Burlington Daily Times-News*, May 8, 1974, p. B1.

68. Richardson Preyer to Elreta Alexander (undated, but would have been written in 1974), Box 2, Folder 1, Alexander Papers.

69. *Ibid.*

70. Hayes, *Without Precedent*, 355.



Alexander received numerous awards and recognition for her accomplishments. In 1970, she received the Citizenship Award from the Cherokee Council of the Boy Scouts of America, and in 1976, she received the Brotherhood Citation from the Greensboro Chapter of the National Conference of Christians and Jews. In 1977, the North Carolina Federation of Women's Clubs named her one of the twenty-five most distinguished women in North Carolina. In 1980, she attended a reception for distinguished African American women at the White House. She is pictured here at a commencement ceremony in this undated photograph.

female to be an elected N.C. Supreme Court chief justice.⁷¹ Even Judge Elreta Alexander, an experienced judge and Ivy League graduate, could not always overcome the racism permeating the North Carolina Republican Party. Judge Alexander sent the new Chief Justice Sharp a telegram upon her election saying, "Congratulations to you and the voters of our state for their good judgment. Best wishes, Elreta Melton Alexander."⁷² Chief Justice Sharp, in turn, worked to pass a law ensuring that all judges in North Carolina would have the proper legal training and experience.

Even though the North Carolina Republican Party did not recognize Alexander's accomplishments, many other organizations did. In 1970, she received the Citizenship Award from the Cherokee Council of the Boy Scouts of America, and

71. Robert B. Cullen, "Newcomb's Failure as Chief Justice Candidate Analyzed," *Lumberton Robesonian*, May 13, 1975, p. 2.

72. Hayes, *Without Precedent*, 508.

in 1976, she received the Brotherhood Citation from the Greensboro Chapter of the National Conference of Christians and Jews. In 1977, the North Carolina Federation of Women's Clubs named her one of the twenty-five most distinguished women in North Carolina, and in 1980, she attended a reception for distinguished African American women at the White House.⁷³ Perhaps her biggest honor of the 1970s came in 1979, when a friend and colleague recommended her to the White House for a position on the court of appeals.⁷⁴ Although she did not receive the position, her trailblazing work received recognition.

The last two decades of Judge Alexander's life brought further career success, but also new opportunities to practice her unique form of advocacy. In 1976, Dr. Girardeau Alexander died, and in 1985, Judge Alexander married John D. Ralston, a retired federal administrative court judge. In 1981, she left the bench and returned to practicing law. She joined the firm Alexander Ralston, Speckhard, and Speckhard in Greensboro. Once, upon agreeing to defend a member of the Ku Klux Klan (KKK), members of the police department approached her saying, "Oh, Mrs. Alexander, you don't know who you're representing." Alexander responded, "Money's green, ain't it?" Her response, while possibly said for shock value, does not mean Alexander put money over her values. In 1977, Alexander stated, "We don't have a viable KKK here [in Greensboro] now, and they'll tell you it's mainly because of my representing them and being so fair." She claimed to represent so many KKK members in assault cases that many left the organization.⁷⁵ For Alexander, activism was not just about advocating for the rights of African Americans, it was about her belief that all people deserved representation. Alexander's activism was making personal relationships and convincing individuals that everyone deserved equal status. One of her clients, a KKK member, came into Alexander's office and said, "You know, you've made a believer out of me. You didn't know it, but I belonged to the Ku Klux Klan. After the way you've treated me, though, been so nice, I quit. I don't believe colored people and Jews are inferior anymore."⁷⁶ Alexander claimed she always knew he was a member of the KKK, but used her position to advocate within a racist organization that most activists shunned.

In 1995, she officially retired from law. As she said late in her career, "After a while, you get tired of being a pioneer, and you want to have peace."⁷⁷ Guilford County marked her retirement with the unveiling of a portrait of Elreta in

73. Lyman, *Great African-American Women*, 186.

74. Judgeships, 1978–1979, Civil Rights during the Carter Administration, 1977–1981, Part 1: Papers of the Special Assistant for Black Affairs, Section B, Jimmy Carter Library, Atlanta, Georgia, Papers of Louis Martin, Special Assistant to the President, in the custody of the National Archives of the United States of America. http://cisupa.proquest.com/ksc_assets/catalog/102610.pdf (accessed April 28, 2011).

75. Alexander interview, November 6, 1977 (transcript), Box 5, Folder 13, Alexander Papers.

76. Alexander interview, December 4, 1977 (transcript), Box 5, Folder 14, Alexander Papers.

77. Alexander interview, November 6, 1977 (transcript), Box 5, Folder 13, Alexander Papers.



In 1981, Judge Alexander left the bench and returned to practicing law. She joined the firm Alexander Ralston, Speckhard, and Speckhard, and used her position as an attorney to advocate for equal rights for all people. She not only represented blacks in civil rights cases; some of her clients were members of the Ku Klux Klan. Alexander died on March 14, 1998, at the age of seventy-eight. Undated photograph of Judge Alexander in the courtroom.

Courtroom 2A of the Guilford County Courthouse. Judge Alexander, probably for the first time, was rendered speechless.⁷⁸ She died on March 14, 1998, at the age of seventy-eight. While she led her life in the spotlight, her death was a quiet affair. Judge Alexander requested there be no memorial service, and asked friends to make donations to their favorite charities.⁷⁹

Despite all her accomplishments it is difficult to find scholarship on Judge Alexander. She is mentioned in compilations of accomplished African American women.⁸⁰ She also has rooms named in her honor at North Carolina A&T University and at the Guilford County Courthouse. But overall, there are surprisingly few accolades for such a trailblazing woman. Judge Alexander was an anomaly. Many African American pioneers like Alexander worked within the status quo to achieve success. But nobody redefined the word "advocate" quite like she did. Part of her advocacy could be attributed to her financial success. She

78. Anita McDivitt, "Pioneer 'Judge A' retires from law," *Greensboro News and Record*, July 9, 1995, p. B1.

79. Schlosser, "Judge A' Paved Way—With Style," *Greensboro News and Record*, March 16, 1998, p. A1.

80. See Lyman, *Great African-American Women*; and Darlene Clark Hine, ed., *Facts on File Encyclopedia of Black Women in America: Law and Government*, s.v. "Ralston, Elreta Alexander."

bought a home in an all-white, upscale neighborhood. She wore fine clothes and literally bought her way into Greensboro eating establishments that typically did not serve African American patrons. Her advocacy, however, extended into her career. She not only defended African Americans, but she also spoke out on behalf of women, youth, and underserved populations. Even after she received acceptance, she always reminded people of her race. Once in court, Judge Alexander encountered a white woman whose daughter had run away. Approaching the bench, the woman whispered, "The worst thing is that she's running around with colored boys." Judge Alexander responded, "Darlin,' have you looked at your judge?"⁸¹

As the study of African Americans, and particularly the study of African American women advances, it is the author's hope that more unsung pioneers and advocates such as Judge Elreta Melton Alexander Ralston will finally be recognized for their accomplishments and contributions toward the advancement of their race.

Ms. Summey is a Ph.D. student in history at the University of North Carolina at Greensboro. She would like to thank Dr. Anya Jabour and Dr. Tobin Miller Shearer at the University of Montana for their outstanding mentorship and support, John J. Mudd for his unwavering friendship and help navigating the University of Montana Law Library, Steve Rodgers for his constant love and support, and her Mom Sally, for everything.

81. Jackson, *Judges*, 134.

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